

**SPEX 2009-0041 / SPMI 2010-0001
POTOMAC INTERCEPTOR ODOR ABATEMENT SITE
CONDITIONS OF APPROVAL
June 30, 2010**

1. **Substantial Conformance.** The development of the Special Exception uses set forth below in Condition 2 shall be in substantial conformance with Sheets 1, 4, and 5 (together comprising and herein referred to as the "Special Exception Plat") of the plan set entitled "Special Exception / Minor Special Exception Plat / Commission Permit, SPEX 2009-0041 & SPMI 2010-0001 & CMPT 2010-0002, District of Columbia Water and Sewer Authority Potomac Interceptor Long Term Odor Abatement Program – Site 46", prepared by A. Morton Thomas and Associates, Inc., dated April 21, 2010, revised through June 25, 2010 (the "Plans") and the Revised 1993 Loudoun County Zoning Ordinance (the "Zoning Ordinance"). Approval of this application for a 2.64-acre portion of Tax Map /81////////116F (PIN# 010-10-0295) (the "Property"), shall not relieve the Applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
2. **Uses Permitted.** Approval of the Special Exception grants 1) approval of the use shown on the Special Exception Plat pursuant to Section 4-1506(D) of the Zoning Ordinance as "structures or uses required for the operation of a public utility" in the Floodplain Overlay District (SPEX 2009-0041); and 2) modification of the Type Four (4) Buffer Yard required by Section 5-621(B) in accordance with Condition 6 below (SPMI 2010-0001). SPEX 2009-0041 is approved only for that area of the Property shown on Sheet 4 and Sheet 5 as lying within the bold line labeled as "Special Exception Area" (the "Special Exception Area").
3. **Stormwater Management.** The Applicant shall provide a minimum of one (1) Low-Impact Development (LID) design measure in the general location shown on the Special Exception Plat. Prior to site plan approval, the Applicant shall consult with the Department of Building and Development to identify and implement LID measure(s) deemed likely to be effective based on the physical characteristics of the Property. The LID measure(s) shall be designed, implemented, and maintained in accordance with applicable provisions of the FSM, and the County's Stormwater Management Ordinance, currently set forth in Chapter 1096 of the Codified Ordinances of Loudoun County.
4. **Architectural Design Elements.** The exterior building design of the Special Exception use shall incorporate the architectural concepts of articulated building façades and treatments the use of varied materials and textures, all as generally depicted on Sheet 6 of the Plans. A written summary of the Applicant's compliance with this Condition shall be submitted by the Applicant as part of the building/zoning permit for the Special Exception Use to which this Condition applies.

5. **Acoustical Treatment.** To mitigate potential noise attributed to the Property's location within Algonkian Regional Park, the proposed use shall be constructed to achieve a maximum exterior noise level of 55 decibels (55 db(A)) measured at the boundary of the Special Exception Area, as certified by an acoustical engineer certified in the Commonwealth of Virginia as qualified to evaluate said standard. Documentation under signature/seal by said acoustical engineer describing the design techniques and materials proposed by the Applicant to achieve the exterior noise levels shall be provided to the County by the Applicant prior to or in conjunction with approval of the first zoning / building permit for the Special Exception use.

6. **Existing Vegetation and Reforestation Area:** The Applicant shall retain all existing vegetation outside of the limits of disturbance (shown on the Special Exception Plat as "LOD"). The area shown on the Special Exception Plat as "Area of Reforestation (Total = 3,500 SF)" shall be established as a reforested area of canopy trees to achieve 3,500 square feet of canopy tree cover. The size, amount, and species of the supplemental plantings shall be determined in consultation with the County Urban Forester.

The Applicant shall utilize native species for new plant material to the maximum extent possible, as determined in consultation with the County Urban Forester. All required supplemental plantings and existing trees shall be depicted on the site plan, and all supplemental plantings shall be bonded prior to the first site plan approval, and installed prior to the first Occupancy Permit.

7. **Water Well.** The Applicant's use of a private well depicted and labeled as "Proposed Well Location" on Sheet 4 of the Special Exception Plat shall conform to and comply with local and state health regulations regarding wells located in proximity to sewer mains and within the 100 year floodplain.

8. **Pedestrian Safety.** During the period of construction of the Special Exception Use, the Applicant shall provide a separate pedestrian lane along the existing gravel travelway within the existing sanitary sewer easement, depicted as "EX. 75' USA SAN SEWER ESMT" on Sheet 2 of the Plans, from Cascades Parkway/Fairway Drive to the entrance to the playground area located on the NVRPA parcel PIN: 010-27-2277. Barriers, markings, signage, flagmen, or equivalent means may be used to demarcate the pedestrian lane.

9. **Signage.**

a) The Applicant shall erect a placard on the southern elevation of the building depicted as "Proposed Building" on the Special Exception Plat noting emergency contact information for the operator of the Special Exception Use. Said placard and associated message shall be depicted on the first site plan for any use approved pursuant to SPEX 2009-0041 and shall be erected prior to Occupancy Permit in such a manner as to be clearly visible to passersby.

- b) Prior to issuance of the first Occupancy Permit, a placard shall be installed on the inside egress at the Loudoun Water area of the site stating as follows: "Loudoun Water – (LCSA) Vehicle Exit Only – NO DCWASA VEHICLE EXIT through Quarter Path Trace Circle, Fairhills Court, or Algonkian Parkway." The location and content of this placard shall be shown on the first site plan prior to approval.
10. **Fire, Rescue and Emergency Services:** Prior to issuance of the first Occupancy Permit, the gated entrance at Cascades Blvd./Fairway Drive shall have an installed lock box/padlock to be approved by and accessible by Loudoun County Fire, Rescue and Emergency Services Department to provide first responder emergency access.
11. **Emergency Access:** An easement for ingress and egress for County emergency vehicles for the purpose of performing any governmental functions which the County may find necessary to perform, including but not limited to police, emergency services, and fire protection, over and across the "EX. 75' USA SAN SEWER ESMT" from Cascades Parkway/Fairway Drive to the Special Exception Area shall be established prior to first site plan approval.
12. **Storage of Materials and Equipment:** Notwithstanding the provisions of the PDH-4 Zoning District use regulations, outside storage of materials and equipment shall not be permitted on the Property within the Special Exception Area. Storage of materials and equipment shall not be permitted within the structure below the 100-Year Base Flood Elevation.